

July 20, 2004

To the Honorable
Common Council of the
City of Milwaukee
Room 205 – City Hall

Re: CCFN 040176 – A substitute ordinance relating to required security features
for currency exchanges, payday loan agencies and title loan agencies

Dear Council Members:

The above-referenced substitute ordinance, which has been approved by the Public Safety Committee and is currently awaiting full Common Council approval, has been referred to this office for an opinion on legality and enforceability. This ordinance imposes an array of security requirements upon “quasi-financial” institutions, and implicates a number of questions arising with respect to the permissible extent of the City’s police powers and its authority to impose such measures upon affected businesses.

This substitute ordinance is currently an item on the agenda for the July 27, 2004 regular Common Council meeting. In light of the numerous and complex issues raised by this substitute ordinance, and of the fact that this office has just received it together with a request for review as to its legality and enforceability, we will not be able to complete our review and to issue the requested opinion in advance of the July 27, 2004 Common Council meeting. We would accordingly and respectfully request additional time to study and consider the issues implicated by this proposed substitute ordinance and would endeavor to complete our work in these respects prior to the reconvening of the Common Council in September.

We appreciate your patience and attention to these matters.

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Very truly yours,

GRANT F. LANGLEY
City Attorney

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